

Remarks

This responds to the Office Action December 20, 2004. Claim 37 has been amended. No claims have been canceled. No claims have been added. Accordingly, claims 33 to 37 are presented for examination.

Applicants acknowledge with appreciation the Examiner's comment that claims 33 to 36 have been allowed.

Summary of the Examiner's Action

Allowed Claims

Claims 32 to 36 have been allowed.

Claim Rejection

Claim 37 stands rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement.

Applicants respectfully traverse the Examiner's rejection.

Discussion

Amendments to the Claims

Applicants amended claim 37 to recite "An isolated cell..." instead of "A cell...". In view of this amendment, applicants respectfully request that the rejection to claim 37 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement, be withdrawn.

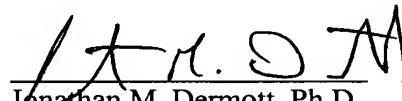
Discussion of the Section 112, First Paragraph, (Enablement) Rejection

Claim 37 has been rejected under 35 U.S.C. §112, first paragraph, because the specification, while being enabling for a host cell in culture comprising a nucleic acid encoding a polypeptide comprising the amino acid sequence of SEQ ID NO:2, does not reasonably provide enablement for *in vivo* transfection. The Examiner has suggested that the rejection could be overcome by amending claim 37 to be directed to "an isolated cell".

As noted above, applicants have amended claim 37 to recite "An isolated cell..." instead of "A cell...". In view of this amendment, applicants respectfully request that the rejection to claim 37 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement, be withdrawn.

Applicants submit that the claims as amended define allowable subject matter, and a prompt and favorable action is solicited respectfully.

Respectfully submitted,


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